

PATENT

ATTORNEY DOCKET NO.: 066455-0271

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Rory Tulloch et al.

Application No.: 10/578,837

Filed: May 10, 2006

For: DOWNHOLE SWIVEL JOINT ASSEMBLY AND  
METHOD OF USING SAID SWIVEL JOINT  
ASSEMBLY

Group Art Unit: Unassigned

Examiner: Unassigned

Confirmation No.: 3744

Customer No.: 25269

**REQUEST FOR REFUND TO DEPOSIT ACCOUNT**United States Patent and Trademark Office  
Customer Service Window – Mail Stop 16  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

A Notification of Missing Requirements was issued in the above-noted matter on March 8, 2007. Our subsequent response was timely filed on April 23, 2007. For verification of this filing date, please see the enclosed photocopy of the response showing the U.S. Patent and Trademark Office (USPTO) date stamp.

We note that the USPTO charged Deposit Account No. 04-2223 a \$120 extension of time fee on July 19, 2007 against this matter for late filing of the Response to the Notification of Missing Requirements. As the response was timely filed, we are requesting a refund to our deposit account.

Respectfully submitted,

**DYKEMA GOSSETT PLLC**By: 

Adesh Bhargava

Reg. No. 46,553

Dated: March 3, 2008

**Dykema Gossett PLLC**  
Third Floor West, Franklin Square  
1300 I Street N.W.  
Washington, D.C. 20005  
Telephone: 202-906-8696  
Fax: 202-906-8669



DYKEMA GOSSETT PLLC  
Third Floor West, Franklin Square  
1300 I Street, NW  
Washington, DC 20005-3306



**THE PATENT AND TRADEMARK OFFICE OFFICIAL FILING DATE STAMP HEREON IS  
ACKNOWLEDGMENT OF FILING THE FOLLOWING:**

Date of this Filing:	April 23, 2007	Docket No.:	066455-0271
Serial No.:	10/578,837	Attorney:	AB:mss
Title: DOWNHOLE SWIVEL JOINT ASSEMBLY AND METHOD OF USING SAID SWIVEL JOINT ASSEMBLY			

- |  |  |
|--|--|
| <input type="checkbox"/> Application Transmittal   | <input checked="" type="checkbox"/> <b>Resp. to Notification of Missing Requirements</b> |
| <input type="checkbox"/> Utility Application <input type="checkbox"/> Design Application   | <input type="checkbox"/> Response to Notice of Incomplete Reply (       pp)              |
| <input type="checkbox"/> Continuation Application <input type="checkbox"/> CIP Application | <input type="checkbox"/> Resp. to Notice of Non-Compliant Amend. (       pp)             |
| <input type="checkbox"/> Divisional Application  | <input type="checkbox"/> Request for Corrected Filing Receipt (       pp)                |
| <input type="checkbox"/> Provisional Application Transmittal                               | <input type="checkbox"/> Mark-Up Copy of Substitute Specification (       pp)            |
| <input type="checkbox"/> Transmittal Under 35 USC 371 - National Phase                     | <input type="checkbox"/> Clean Copy of Substitute Specification (       pp)              |
| <input type="checkbox"/> Specification, Claims and Abstract (       pp)                    | <input type="checkbox"/> Response/Amendment (       pp)                                  |
| <input type="checkbox"/> Formal Drawings (       sheet(s))                                 | <input type="checkbox"/> Petition for       Mo. Extension of Time                        |
| <input type="checkbox"/> Informal Drawings (       sheet(s))                               | <input type="checkbox"/> Notice of Appeal (       pp)                                    |
| <input type="checkbox"/> Transmittal of Executed Declaration & POA                         | <input type="checkbox"/> Petition (       pp)  |
| <input checked="" type="checkbox"/> <b>Executed Declaration &amp; POA (2 pp)</b>           | <input type="checkbox"/> Request for Continued Examination (RCE)                         |
| <input type="checkbox"/> Unexecuted Declaration & POA (       pp)                          | <input type="checkbox"/> Request for Reconsideration                                     |
| <input type="checkbox"/> Preliminary Amendment (       pp)                                 | <input type="checkbox"/> Response to Notice Regarding Drawings                           |
| <input type="checkbox"/> Cover Sheet & Executed Assignment (       pp)                     | <input type="checkbox"/> Replacement Drawings (       sheet(s))                          |
| <input type="checkbox"/> Copy of International Search Report (       pp)                   | <input type="checkbox"/> Transmittal of Formal Drawings                                  |
| <input type="checkbox"/> IDS & Citation Sheet (       pp)                                  | <input type="checkbox"/> Copies of Previously Filed Documents                            |
| <input type="checkbox"/> Copies of Foreign or Non-Patent Literature Refs                   | <input type="checkbox"/> Issue & Publication Fee Transmittal                             |
| <input type="checkbox"/> Applicant Data Sheet/Information Sheet                            | <input checked="" type="checkbox"/> <b>Permission to Charge Deposit Account</b>          |
| <input type="checkbox"/> Return Postcard   | Agent:   |
| <input type="checkbox"/> Status Inquiry  | Agent Ref:   |
| <input type="checkbox"/> Completion of Filing Requirements                                 | Inventor(s):   |
| <input type="checkbox"/> Copy of Int'l Application No.                                     | <input type="checkbox"/> Certified Copy of Priority Doc. No.                             |
| Int'l Filing Date:   | Country:   |
| Priority Date Claimed:   | Filing Date:   |



☒ USPTO Copy; ☐ Docket Copy; ☐ File Copy



PATENT  
ATTORNEY DOCKET NO.: 066455-0271

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Rory Tulloch et al.	)	
	)	Group Art Unit: Unassigned
Application No.: 10/578,837	)	
	)	Examiner: Unassigned
Filed: May 10, 2006	)	
	)	Confirmation No.: 3744
For: DOWNHOLE SWIVEL JOINT ASSEMBLY AND	)	
METHOD OF USING SAID SWIVEL JOINT	)	Customer No.: 25269
ASSEMBLY	)	

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

United States Patent and Trademark Office  
Customer Service Window, Mail Stop Missing Parts  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

In response to the Notification of Missing Requirements, Applicants hereby authorize charging of the late filing fee in the amount of \$130.00 to our Deposit Account No. 04-2223. Applicants further submit an executed Declaration and Power of Attorney.

Any other fee(s) due in connection with the filing of this Statement should be charged to our Deposit Account No. 04-2223.

Respectfully submitted,

DYKEMA GOSSETT PLLC

By: 

Adesh Bhargava  
Reg. No. 46,553

Dated: April 23, 2007

Dykema Gossett PLLC  
Third Floor West, Franklin Square  
1300 I Street N.W.  
Washington, D.C. 20005  
Telephone: 202-906-8696  
Fax: 202-906-8669



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/578,837	Rory Tulloch	066455-0271

INTERNATIONAL APPLICATION NO.

PCT/GB04/04926

LA. FILING DATE

11/23/2004

PRIORITY DATE

11/24/2003

25269

DYKEMA GOSSETT PLLC  
 FRANKLIN SQUARE, THIRD FLOOR WEST  
 1300 I STREET, NW  
 WASHINGTON, DC 20005

CONFIRMATION NO. 3744

371 FORMALITIES LETTER



\*OC000000022791054\*

Date Mailed: 03/08/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/10/2006
- Copy of the International Search Report filed on 05/10/2006
- Preliminary Amendments filed on 05/10/2006
- U.S. Basic National Fees filed on 05/10/2006
- Priority Documents filed on 05/10/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and International filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION,**

**WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

VIRGINIA L IRBY

Telephone: (703) 308-9140 EXT 229

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/578,837	PCT/GB04/04926	066455-0271

FORM PCT/DO/EO/905 (371 Formalities Notice).

**COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR UTILITY PATENT APPLICATION (Includes PCT)**

 Attorney Docket No.  
066455-0271

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; that

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**DOWNHOLE SWIVEL JOINT ASSEMBLY AND METHOD OF USING SAID SWIVEL JOINT  
ASSEMBLY**

 the specification of which (check one): ☐ is attached hereto.

☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended  
on \_\_\_\_\_

☒ was filed as PCT international application no. PCT/GB004/004926 on November 23, 2004 and was  
amended under PCT Article 19 on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I do not know and do not believe the claimed invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application.

I hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed
<u>PCT/GB004/004926</u>	<u>PCT</u>	<u>23 November 2004</u>	<input checked="" type="checkbox"/> <input type="checkbox"/>
(Number)	(Country)	Day/Month/Year Filed	Yes No
<u>GB 0327308.3</u>	<u>GB</u>	<u>23 November 2003</u>	<input checked="" type="checkbox"/> <input type="checkbox"/>
(Number)	(Country)	Day/Month/Year Filed	Yes No

I hereby claim the benefit under Title 35, United States Code, §119 (e) of any United States provisional application(s) listed below:

Application No.	Day/Month/Year Filed	Application No.	Day/Month/Year Filed
-----------------	----------------------	-----------------	----------------------

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:


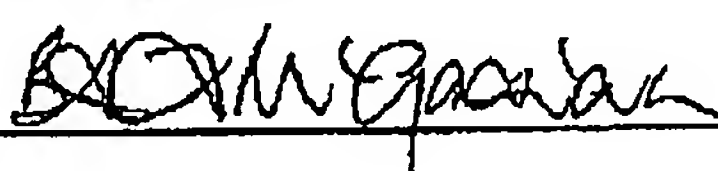
Application Serial No.	Filing Date	Status (patented, pending, abandoned)
Application Serial No.	Filing Date	Status (patented, pending, abandoned)



Attorney Docket No. 066455-0271

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Lawrence R. Radanovic, Reg. No. 23,077; Richard H. Tushin, Reg. No. 27,297; Donald N. Huff, Reg. No. 27,561; John P. DeLuca, Reg. No. 25,505; Charles Rutherford, Reg. No. 18,933; William F. Kolakowski, Reg. No. 41,908; and Adesh Bhargava, Reg. No. 46,553, all of Dykema Gossett, P.L.L.C. Direct all telephone calls to telephone no. (202) 906-8600 and faxes to (202) 906-8669.

Address all correspondence to Dykema Gossett, PLLC, Suite 300 West, 1300 I Street, N.W., Washington, D.C. 20005-3306.  
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First Joint Inventor	Inventor's Signature	Date
Rory McCrae TULLOCH		7/7/06
Residence:		Citizenship
20 Ashley Park North, Aberdeen AB10 6SF (GB)		Great Britain
Post Office Address:		
Same as above		
Full Name of Second Joint Inventor	Inventor's Signature	Date
Bruce MCGARIAN		27 June 2006
Residence:		Citizenship
23 East Glebe, Stonehaven, Aberdeen AB3 2HW (GB)		Great Britain
Post Office Address:		
Same as above		